

FILED 07 DEC 27 09:45 USC-ORP

IN THE UNITED STATES DISTRICT COURT
FOR THE
DISTRICT OF OREGON

DONNA STEVENSON, o/b/o
KAREN LEWIS (dec'd),
Plaintiff,

vs.

MICHAEL J. ASTRUE,
Commissioner of Social Security,

Defendant

Civil No. 3:07-CV-235-BR

and Judgment
~~PROPOSED ORDER~~ FOR REMAND

Based on the stipulation of the parties, it is hereby ORDERED that the above-captioned case be reversed and remanded for a *de novo* hearing and further administrative proceedings, including but not limited to the following: the administrative law judge (ALJ) will evaluate the DDS medical source opinions; re-evaluate the Claimant's mental impairment using the "special technique;" evaluate whether the Claimant meets or equals Listing 5.00 (or any other listing) with the assistance of a medical expert; if necessary, continue on with sequential evaluation process and re-evaluate the Claimant's RFC, and; if continuing on with the sequential evaluation process, obtain vocational expert testimony and present the vocational expert with a clear and accurate hypothetical describing the Claimant's RFC, as supported by the evidence.

This remand is pursuant to sentence four of 42 U.S.C. § 405(g). Upon proper presentation, this Court will consider Plaintiff's application for costs and attorney's fees under 28 U.S.C. § 2412(d) and 42 U.S.C. § 406(b).

DATED this 27th day of December, 2007.


UNITED STATES DISTRICT JUDGE

Presented by:

s/ Thomas M. Elsberry
THOMAS M. ELSBERRY
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